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Paper No. 7

VIDAS ARRETT & STEINKRAUS P.A.  
SUITE 2000  
6109 BLUE CIRCLE DRIVE  
MINNETONKA, MN 55343-9185

**COPY MAILED**

**JUN 11 2002**

**OFFICE OF PETITIONS**

In re Application of  
Dachuan Yang et al  
Application No. 09/965,765  
Filed: September 28, 2001  
Attorney Docket No. S63.2-10002

:  
: DECISION GRANTING  
: PETITION  
:  
:

This is a decision on the paper styled "PETITION UNDER CFR 1.52 TO REQUEST FOR CORRECTION OF FILING RECEIPT" filed March 11, 2002, which is properly treated as a petition under 37 CFR 1.10(d), requesting that the above-identified application be accorded a filing date of September 28, 2001, rather than the presently accorded filing date of October 1, 2001.

Applicants request the earlier filing date on the basis that the application was purportedly deposited with the U.S. Postal Service (USPS) as Express Mail on September 28, 2001. The petition is accompanied by, inter alia, a copy of the USPS Track/Confirm system information showing that the package bearing Express Mail label No. EL684695323US was accepted on September 28, 2001. The same Express Mail receipt number was referred to in the copy of the original transmittal letter found in the present application.

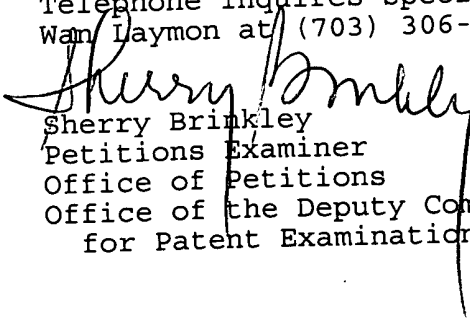
In view of the above, the evidence is convincing that the application was deposited as "Express Mail" with the US Postal Service on September 28, 2001.

The petition is granted.

No petition fee is required and none has been charged.

The application is being returned to Initial Patent Examination Division for correction of the filing date to September 28, 2001.

Telephone inquiries specific to this matter should be directed to Wan Laymon at (703) 306-5685.

  
Sherry Brinkley  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy